

App. No. 10/825,740
Amendment dated December 16, 2005
In reply to Final Office Action dated September 22, 2005

Docket No. 1232-4530US1

REMARKS

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

Status of the Claims

Claims 5, 7-14, 19 and 25 are pending in this application. Claims 5, 11, 19 and 25 are independent. All of the pending claims stand rejected.

By this amendment, independent claims 5, 11, 19 and 25 are amended. No new matter has been added by this amendment.

Rejection under 35 U.S.C. §102

In paragraph two (2) of the Office action, claims 5, 7-14, 19 and 25 have been repeatedly rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,555,294 to Abe ("Abe").

The Examiner indicates, *inter alia*, that Fig. 4 of Abe (i.e., lable S44) discloses the "setting unit" of claim 5. In particular, the Examiner equates the "normal mode" of Abe to the "bulk communication" of claim 1 of the present invention.

Applicant notes that Fig. 4 of Abe discloses selecting a communication mode between a special-purpose mode and a normal mode. It is indicated in Abe that "[i]n a case where a special-purpose mode is selected that allows only one communication channel of the ISDN to be used for facsimile transmission or reception, ... The normal mode allows communication channels to be used in an ordinary manner." (col. 5, lines 18-24 of Abe) The special-purpose mode of Abe makes the facsimile reception/transmission possible at all times. As a result, a call request is "always granted" with the left over channel. In the normal mode, however, a call

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request may or may not be granted depending on the channel availability (i.e., idel channel). For example, referring to Fig. 5 of Abe, it is determined at S52 whether a special-purpose mode is selected. If not (i.e., a normal mode is selected), it is determined in S53 whether there is an idle channel. Depending on the channel availability, the requested communication is processed (i.e., either granted or denied).

First of all, the normal mode of Abe is different from the bulk communication of the present invention where all of the plurality of communication channels are utilized for a communication with a partner. See, for example, the first full paragraph of page 2 (i.e., lines 3-10) of the original specification. Each of claims 5, 11, 19 and 25 is amended to further clarify this aspect of the invention.

Secondly, Abe, including the cited portion by the Examiner, does not show or suggest a setting unit that enables a user to determine whether or not a bulk communication is granted in a sending /receiving communication independently. As discussed above, the channel availability, not a user, determines the grant of communication request in Abe.

Accordingly, each of claims 5, 11, 19 and 25 as amended is believed neither anticipated by nor rendered obvious in view of Abe for at least the reasons discussed above.

Reconsideration and withdrawal of the rejections of claims 5, 11, 19 and 25 under 35 U.S.C. §102 is respectfully requested.

Applicant has not individually addressed the rejections of the dependent claims because Applicant submits that the independent claims from which they respectively depend are in condition for allowance as set forth above. Applicant however reserves the right to address such rejections of the dependent claims should such be necessary.

Applicant believes that the application is in condition for allowance and such action is

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respectfully requested.

AUTHORIZATION

No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-4530US1). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
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Dated: December 16, 2005

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